

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – Nizamabad District – Nandipet (Mandal)– Sirpur (Village)
O.P.No.192/90 – Sanction of **Rs.6,67,123/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 258

DATE:07.05.2010

Read:

- 1) From the Secy.to Spl.CS to Govt & CCLA, AP, Hyd.Lr.No.SRP2/1305/05, Dt:26.08.2009 along with the proposal of the Spl.Collector, LA, SRSP, Hyd.
- 2) From the Spl.CS to Govt & CCLA, AP, Hyd in Lr.No.SRP2/1305/2004, Dated:23.04.2010.

O R D E R:

The Special Chief Secretary and Chief Commissioner of Land Administration, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.No.192/90 pertaining to Sirpur (V) Nandipet (M) of Nizamabad District. The then Land Acquisition Officer, LA Unit, Pochampad has acquired houses and structures in the limits of Sirpur (V) vide Award No.7/73-74, dt:28.02.1974 for the purpose of construction of SRSP Project. Aggrieved by the award passed by the LAO, Pochampad the awardees have filed petition U/s 18 of L.A.Act with request to refer the case to the Addl.District Judge, Nizamabad. The Addl.District Judge, Nizamabad in its orders dt:15.11.1994 has enhanced the land value as doubled fixed by the LAO, Pochampad. As the enhancement was more than 50% the SDC has preferred an appeal which was numbered as A.S.No.1649/95. The Hon'ble High Court of Andhra Pradesh, Hyderabad has dismissed the appeal on 22.01.1999. The Special Leave Petition was filed before the Hon'ble Supreme Court of India against the judgment of High Court in A.S.No. 1649/95, dt:22.01.1999. The Hon'ble Supreme Court of India, New Delhi have dismissed the SLP in C.C.No.10239/2003 on 05.12.2003.

- 2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.6,67,123/- (Rupees Six lakhs sixty seven thousand one hundred and twenty three only)** towards decretal charges in O.P.No.192/90 pertaining to Sirpur (V) Nandipet (M) of Nizamabad District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, SRSP, Hyderabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.192/90 under SRSP for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above shall be debitable to the following Head of Account "2701- Capital Out Lay – M & MI – 01 – Major Irrigation – Commercial – MH.101 - Sriramasagar Project Stage-I – GH.11 – Normal State Plan – SH (26) Dams & Appurtenant works – 530/532 lands (Charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.3336/F4(2)/2009-1, dated 27.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, SRSP, Tarnaka, Hyderabad.

The SDC, LA-cum-Loc, Unit, SRSP, Pochampad.

The Administrative-cum-Chief Engineer, Hyderabad.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.30486/LA-III(A1/2005

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER